

CITY COUNCIL STANDING COMMITTEE
Planning & Development Committee
Wednesday, March 5, 2014 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Greg Verga; Vice Chair, Councilor Paul Lundberg; Councilor Steven LeBlanc

Absent: None.

Also present: None.

The meeting was called to order at 5:30 p.m. Items were taken out of order.

1. *Revisit of Free Petition in accordance with City Charter Sec. 9-1(b) re: Condition, Restoration and Preservation of Stage Fort Park (Cont'd from 01/22/14)*

This matter is continued to April 2, 2014 at the request of the Chief Administrative Officer.

2. *Memorandum and pertinent material from Planning Director re: Land Disposition Committee Recommendations on 6 Stanwood Street (Easement Request by Karen Elliot, 6 Stanwood Street (Cont'd from 01/22/13)*

This matter is continued to March 19, 2014 at the request of General Counsel.

3. *SCP2014-003: East Main Street #49, GZO Sec. 2.3.1(6) conversion to or new multi-family or apartment dwelling, three dwelling units*

Attorney Ralph Pino, representing Ingrid Echiverria, described for the Committee the parameters for a Special Council Permit application under GZO Sec. 2.3.1(6), conversion to or new mutli-family or apartment dwelling, three dwelling units Assessors Map #54, Lot 76 under Zoning Classification R-5. He said that **Ms. Echiverria** owns #47 East Main St., purchased first, and then purchased #49 East Main Street which thereby creates a common driveway between the two properties that sit side by side.

Mr. Pino related that: in August 2013 the Zoning Board of Appeals decision (on file) noted that the premise is a lawful two-family dwelling with a presently uninhabited third apartment unit. The premise was previously used as a three-family domicile, according to the Assessor's records, from at least the 1960s through 1989. In 1989 there was an application to divide the lot to #47 and #49 East Main Street which went to the ZBA in which the then petitioner indicated his intention to use this house as a two-family. After 1989 no apparent physical alternation to the premises ever took place, and the basement unit has remained complete with kitchen and bathroom. The current owner/petitioner has concluded it would not make economic or build sense to incorporate the basement apartment unit into another existing apartment unit. The petitioner would like to remodel the basement unit and use it as a third apartment unit. The ZBA has given the necessary dimensional relief. The joint driveway has enough parking for all units. The ceiling height is a bit low but the floor has been opened up since the pictures (on file) have been taken, and that there is framework on the ground. A concrete floor will be poured, and Building Inspector has reviewed the plans. Ms. Echiverria lives in the second unit, it was noted.

Mr. Pino reviewed the six Special Council Permit criteria as follows:

1. Social, Economic or community needs served by the proposal: The proposal would provide one additional housing rental unit (currently vacant) and utilize what is now simply vacant space in the building without practical means to join it to other units;
2. Traffic flow and safety: The addition of one more apartment unit would be insignificant on East Main Street- there is off-street parking;
3. Adequacy of utilities and other public services: The space was used until 1989 a separate unit;
4. Neighborhood character and social structure: The neighborhood contains two- and three-family homes and commercial uses;
5. Qualities of the natural environment: There will be no exterior change in the building or site;
6. Potential Fiscal Impact: There would be increased value and tax revenue.

Councilor LeBlanc said upon reviewing the Special Council Permit, and given that the dwelling was previously three units, it would bring another affordable apartment to the neighborhood. He said he would support the application.

Councilor Verga noted that it appeared the egress for the third apartment unit is adequate. **Mr. Pino** confirmed that unit's egress is on the first floor on the lower right side of #49 East Main St.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant Ingrid Echiverria-Rivas a Special Council Permit (SCP2014-003) for the property located at East Main Street #49, Assessor's Map 54, Lot 76, zoned R-5, pursuant to Sections 1.8.3 and 2.3.1(6) of the Gloucester Zoning Ordinance to increase the number of dwelling units from two residential units to three residential units as based on the plan submitted with the application entitled, "Boundary Retracement Exhibit," by County Land Surveys, Inc. of Gloucester, Mass., dated February 7, 2013.

This matter will be advertised for public hearing.

4. *Special Events Application re: request from Cape Ann YMCA to hold three road races:*
Backshore 5 Mile Road Race on May 9, 2014
Run the Goose 7K Road Race on September 1, 2014
Around Cape Ann 25K Road Race on September 1, 2014

No representative of the Cape Ann YMCA was present at the meeting. **Councilor LeBlanc** asked that he reviewed the submitted Special Events applications from the YMCA and found that he Certificates of Insurance for all three races show 3 Pond Road as the address for the City which should be 9 Dale Avenue.

The Committee determined it would move the permit for the races forward to the Council for approval as they had been vetted by the Special Events Advisory Committee and appeared to have no changes from the previous years' races. However, the Committee asked that a representative of the YMCA be present should Councilors have any questions regarding either of the three races at the March 11th City Council meeting. The Clerk of Committees was asked to convey this information as well as the need to correct the Certificate of Insurance to the YMCA.

Backshore 5 Mile Road Race on May 9, 2014

MOTION: On motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend to the City Council to permit the Cape Ann YMCA on Friday, May 9, 2014 to hold the Backshore 5 Mile Road Race with the following conditions:

1. **Certificate of Insurance:**
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.
4. **Emergency Services** are as determined by City EMS Director.
5. **Staffing:**
Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Notification to Immediate Abutters and Businesses to Race Course:**
Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.
7. **Responsibility of the Cape Ann YMCA:**

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

Around Cape Ann 25K Road Race on September 1, 2014

MOTION: On motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend to the City Council to permit the Cape Ann YMCA on September , 2014 to hold the 25K Around the Cape Road Race with the following conditions:

1. **Certificate of Insurance:**
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.
4. **Emergency Services** are as determined by City EMS Director.
5. **Staffing:**
Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Notification to Immediate Abutters and Businesses to Race Course:**
Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.
7. **Responsibility of the Cape Ann YMCA:**
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

Run the Goose 7K Road Race on September 1, 2014

MOTION: On motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend to the City Council to permit the Cape Ann YMCA on September 1, 2014 to hold the 7K Run the Goose Road Race with the following conditions:

1. **Certificate of Insurance:**
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.

4. **Emergency Services are as determined by City EMS Director.**
5. **Staffing:**
Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Notification to Immediate Abutters and Businesses to Race Course:**
Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.
7. **Responsibility of the Cape Ann YMCA:**
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:45 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.